

**REMARKS**

This is in response to the Office Action dated June 4, 2004.

Applicant notes with appreciation the Examiner's allowance of claims 29-32 and 46-49.

These claims remain pending.

It is respectfully submitted that the informalities raised in paragraph 2 of the Office Action have been addressed and overcome by the claim changes herein.

Claims 33 and 50 stand rejected under 35 U.S.C. Section 103(a) as being allegedly unpatentable over Fee. This Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claims 33 and 50 requires, *inter alia*, first optical switches, wherein each first optical switch is connected to an ordinary optical transmitter and a spare optical transmitter of a pair to forward optical signals from only one of the ordinary optical transmitter and the spare optical transmitter. The cited art fails to disclose or suggest this aspect of claims 33 and 50. In particular, nothing in Fee discloses or suggests such subject matter.

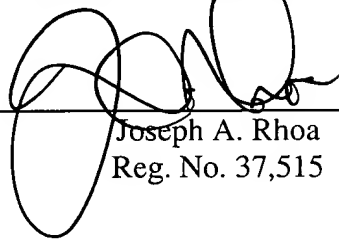
For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

OBERG et al  
Appl. No. 09/643,993  
October 4, 2004

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

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